

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

KEVIN MARTIN,

Petitioner,

- against -

**GLENN GOORD, Former Commissioner, New York
State Department of Correctional Service,**

Respondent.

08 Civ. 5292 (SCR)

TRANSFER ORDER

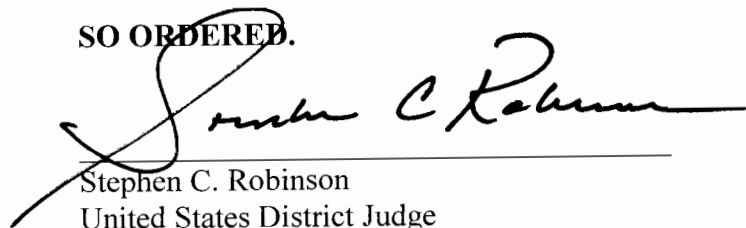
Petitioner, currently incarcerated in Fiskhill Correctional Facility, filed a pro se petition for a writ of habeas corpus pursuant to 28 U.S.C. §2254 challenging a decision rendered by the New York State Supreme Court in Albany County, New York. See Docket #1, Petition.

Because the decision at issue in this petition was rendered in Albany County, which is in the Northern District of New York, this case is hereby transferred to the United States District Court for the Northern District of New York pursuant to Local Rule 83.3 of this Court.

The Clerk of the Court shall transfer this case to the United States District Court for the Northern District of New York. Whether petitioner should be permitted to proceed further without payment of fees is a determination to be made by the transferee court. That provision of Rule 83.1 of the Local Rules of the Southern District of New York which requires a five day delay is waived.

Dated: June 30, 2008
White Plains, New York

SO ORDERED.



Stephen C. Robinson
United States District Judge
Southern District of New York